

Appl. No. 10/584,406
In re Vasilescu, C.
Reply to Office Action of Aug. 12, 2009

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. The replacement sheet, which includes Figs. 1 and 2, replaces the original sheets including Figs. 1 and 2. In Fig. 1, previously omitted legend --Prior Art-- designating Fig. 1 has been added. No new matter has been entered.

Attachments: Replacement Sheet

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated August 12, 2009. This amendment and request for reconsideration is intended to be fully responsive thereto.

The drawings were objected to because of minor informalities. The drawings have been amended to designate Fig. 1 with a legend --Prior Art--. No new matter has been entered. The support for the above amendments could be found in page 4, line 10 of the present application.

Specification has been amended to specify that a rotor assembly 1 for an automobile vehicle alternator according to the present invention is substantially similar to the rotor assembly of the prior art depicted in Fig. 1, and only the fan 30, which differ, will therefore be explained in detail below, and that to simplify the description, all elements of the rotor assembly 1 according to the present invention similar to those of the rotor assembly of the prior art depicted in Fig. 1, are designated by the same reference numerals. The support for the above amendments could be found in page 4, lines 10-25; page 6, lines 11-12 and 25-28; and page 7, lines 3-8 of the present application. No new matter has been added.

Specification has been further amended to correct translational error. The support for this amendment could be found in page 9, lines 27-31 of the French language International Publication WO 2005/091465 A2, and Figs. 2-9 of the present application. No new matter has been added.

Claims 1, 4-7 have been amended to correct minor informalities. No new matter has been entered.

Claims 8-17 have been canceled.

Claims 3 and 6 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 has been canceled, thus rendering this rejection moot.

Claims 1-5, 8-10 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by Harris et al. (USPN 5,793,143). The applicant respectfully disagrees. However, in order to expedite the prosecution of the present application, claim 1 has been amended to include all of the limitations of claims 2 and 3. No new matter has been added. Consequently, claims 2 and 3 have been canceled.

Regarding claim 1: claim 1 has been further amended to specify that the plate (31) of the fan (30) comprising a substantially annular solid part (312). The support for this amendment could be found in page 7, lines 3-5; and Figs. 2, 3, 5-7, 9, 10 and 12 of the present application. No new matter has been added.

Claim 1 has been further amended to specify that the sealing part (311) comprises an axial relief (314) in the form of a thin tab comprising a first face (315) axially inclined from the solid part (312) of the plate (31) at the side of the claws (12). The support for this amendment

could be found in page 7, lines 18-26; and Figs. 2-9 of the present application. No new matter has been added.

Harris fails to disclose the sealing part comprising an axial relief in the form of a thin tab comprising a first face axially inclined from the solid part of the plate at the side of the claws.

The Examiner erroneously alleges that the enclosed pockets 36, 50 of Harris are axially inclined from the solid part of the plate at the side of the claws, and that the axially extending claws are inclined from the radial direction of the plate.

While recognizing that the pending claims must be given their broadest reasonable interpretation consistent with the specification, we trust that that the broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach, as stated in MPEP § 2111. We believe that those skilled in the art would not possibly interpret the enclosed pockets 36, 50 of Harris as axially inclined from the solid part of the plate at the side of the claws, as well as the axially extending claws as inclined from the radial direction of the plate. Moreover, the Examiner's position is erroneous, as the word "inclined" is defined by the Dictionary.com (Unabridged. Based on the Random House Dictionary, © Random House, Inc. 2010), as "deviating in direction from the horizontal or vertical; sloping". As clearly illustrated in Figs. 1, 3A, 3B, 4 and 5 of Harris, the enclosed pockets 36, 50 extend from the plate of the fan 24 (or 28) in the horizontal direction, i.e., parallel to the axis of rotation. Thus, the enclosed pockets 36, 50 are not axially inclined.

Therefore, Applicant respectfully submits that the applied document, i.e., the '143 patent to Harris, does not meet this standard of anticipation. Accordingly, the rejection of claims 1, 4, 5 and 18 under 35 U.S.C. 102(b) over Harris is improper.

Further regarding claim 4: Claim 4 has been amended to specify that the tab comprises a second face (316) extending from the first face (315) parallel to the axis X-X'. The support for the amendment could be found in Figs. 2-9; and in page 7, lines 24-26. No new matter has been added.

Claim 4 has been further amended to change dependency from the deleted claim 3 to the amended claim 1. No new matter has been added.

In addition to the arguments regarding the patentability of claim 1, Harris fails to disclose the tab further comprising a second face extending from the first face parallel to the axis of rotation, and the tab extending from the plate between the claws. Accordingly, the rejection of claim 4 under 35 U.S.C. 102(b) over Harris is improper.

Claims 1, 2 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Vasilescu et al. (US 2003/0030334). The applicant respectfully disagrees.

Regarding claim 1: First, Vasilescu fails to disclose the fan comprising a plate substantially perpendicular to the axis (X-X') and having a sealing part axially sealing at least one of the peripheral spaces. In other words, according to the present invention as recited in claim 1, the peripheral spaces between the claws are axially sealed by the plate substantially perpendicular to the axis of rotation, not by the fan blades protruding from the plate.

Second, as clearly disclosed in Paragraph 0051 of Vasilescu, the rotor (42) is provided with claws, such as (44), distributed along the periphery of the rotor and delimiting between them the cooling channels, such as (46), in which air flow circulates, while the rotor is rotating. The blades "are situated respectively facing ventilation channels of the rotor... so as to generate

an axial flow along the channel 46" (see paragraph 0052) (emphasis added). In other words, the cooling channels between the claws are not sealed in order to allow the fan blades direct an air flow into the cooling channel 46.

Third, Vasilescu fails to disclose the sealing part comprising an axial relief in the form of a thin tab comprising a first face axially inclined from the solid part of the plate at the side of the claws.

As noted above, claims 2 and 13 have been canceled.

Therefore, Applicant respectfully submits that the applied document, *i.e.*, the '334 patent application publication to Vasilescu, does not meet this standard of anticipation. Accordingly, the rejection of claim 1 under 35 U.S.C. 102(b) over Vasilescu is improper.

Claims 6, 7, 11, 12 and 14-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Harris. The applicant respectfully disagrees.

Regarding claim 6: Claim 6 has been amended to specify that a central web (319) extends axially parallel to the axis of rotation (X-X') from the base of the of the recessed zone (318); that two lateral webs link opposite lateral edges of the central web (319) to the lateral edges of the first and second faces (315, 316) of the tab (314); and that the central web (319) is narrower than the first and second faces (315, 316) of the tab (314) such that the lateral webs diverge from the central web to the first and second faces (315, 316). The support for the amendment could be found in Figs. 7 and 8; and in page 9, lines 4-15. No new matter has been added.

The Examiner concedes that Harris fails to disclose the solid part having a radially outer edge in which is hollowed out at least one recessed zone so that the sealing part extending from a

base of the recessed zone. Moreover, in addition to the arguments regarding the patentability of claim 4, Harris fails to disclose the a central web extending axially parallel to the axis of rotation from the base of the of the recessed zone, and two lateral webs linking opposite lateral edges of the central web to the lateral edges of the first and second faces of the tab, and wherein the central web is narrower than the first and second faces of the tab such that the lateral webs diverge from the central web to the first and second faces.

Accordingly, the rejection of claim 6 under 35 U.S.C. 103(a) over Harris is improper.

Regarding claim 7: Claim 7 has been amended to specify that the fan (30) comprises a blade (32) extending along the first face (315) of the tab (314). The support for the amendment could be found in Figs. 6-9; and in page 8, lines 24-25. No new matter has been added.

Claim 7 has been further amended to change dependency from claim 6 to the amended claim 4. No new matter has been added.

In addition to the arguments regarding the patentability of claim 4, Harris fails to disclose the blade extending along the first face of the tab. Accordingly, the rejection of claim 7 under 35 U.S.C. 103(a) over Harris is improper.

As noted above, claims 11, 12 and 14-17 have been canceled.

New claims 19-22 have been added. The support for the new claims 19-22 could be found in page 7, lines 24-26 (for claim 19); in page 7, lines 27-29 (for claim 20); in page 5, lines 24-25 and in page 8, lines 1-3 (for claim 21); and in page 8, lines 4-6 and Fig. 3 (for claim 22). No new matter has been added.

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It is respectfully submitted that claims 1, 4-7 and 18-22 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted:

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